

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION**

**RICHARD C. DACHEFF, III**

**PLAINTIFF**

**V.**

**CASE NO. 5:15-cv-03113**

**SHERIFF RANDY MAYFIELD, Carroll  
County, Arkansas; WARDEN DANNY  
HICKMAN; NURSE CRYSTAL BRINTON;  
LIEUTENANT JAUN CRIBBS; SERGEANT  
ANDREA MORRELL; OFFICER  
LIZ MARTINEZ (SALADONA); and  
OFFICER PRUITT**

**DEFENDANTS**

**OPINION AND ORDER**

This is a civil rights case filed by the Plaintiff Richard C. Dacheff, III, under the provisions of 42 U.S.C. § 1983. Plaintiff proceeds *in forma pauperis* and *pro se*. When he filed this case, Plaintiff was incarcerated in the Carroll County Detention Center (CCDC). Subsequently, he was released and is no longer incarcerated.

By order (Doc. 37) entered on November 17, 2016, the Defendants' motion to compel was granted. Plaintiff was directed to provide Defendants with discovery responses by December 5, 2016.

On December 6, 2016, Defendants filed a motion to dismiss (Doc. 38) stating they had not received the discovery responses. On December 28, 2016, a show cause order (Doc. 40) was entered. Plaintiff was given until January 17, 2016, to show cause why this action should not be dismissed based on his failure to comply with the Court's order. Plaintiff was advised that failure to respond to the show cause order would result in the dismissal of the case.

Plaintiff did not respond to the show cause order. The order was not returned as

undeliverable. Plaintiff has not communicated with the Court in anyway. On February 2, 2017, Defendants filed another motion to dismiss (Doc. 41).

For these reasons, the Defendants' motion to dismiss (Docs. 38 & 41) are granted. This case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute this action and failure to obey the orders of the Court. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED this 13<sup>th</sup> day of February, 2017.



TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE